

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JIMI ROSE,

Plaintiff,

v.

CITY OF ALLENTOWN, and
ZONING BOARD OF THE CITY OF
ALLENTOWN,

Defendants.

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CIVIL ACTION

NO. 02-CV-3842

ORDER

AND NOW, this day of November, 2002, it is hereby **ORDERED** and decreed that Defendants, City of Allentown and the Zoning Hearing Board of the City of Allentown's Motion to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(1) and 12(b)(6), filed July 12, 2002, is **DENIED**.

It is further ordered that the Plaintiff, Jimi Rose's Motion to Withdraw Allegations of Incidents Which Occurred Prior to June 18, 2000, filed August 1, 2002, is **GRANTED**.

BY THE COURT:

Legrome D. Davis
United States District Judge
Eastern District of Pennsylvania